

EXHIBIT 10

ORIGINAL

AO 93 (SDNY Rev. 01/17) Search and Seizure Warrant

UNITED STATES DISTRICT COURT

for the
Southern District of New York

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

- (1) the Forensic Image of an Apple iPhone 11 Pro Max, IMEI Number [REDACTED], created on or about November 15, 2019;
- (2) the Forensic Image of an Apple iPhone 6s, IMEI Number [REDACTED], created on or about November 15, 2019; and
- (3) a Seagate Hard Drive, Serial Number [REDACTED]

Case No.

20 MAG 00048

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Southern District of New York
(identify the person or describe the property to be searched and give its location):

See Attachment A

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):

See Attachment A

The search and seizure are related to violation(s) of (insert statutory citations):

31 USC 5322 (Bank Secrecy Act violations); 50 USC 1701 (sanctions violations of International Emergency Economic Powers Act); 18 USC 1519 (obstruction of justice)

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before1/17/2020
(not to exceed 14 days)

- ☐ in the daytime 6:00 a.m. to 10 p.m. ☒ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to the Clerk of the Court.

- ☒ Upon its return, this warrant and inventory should be filed under seal by the Clerk of the Court.

JSMJ Initials

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for _____ days (not to exceed 30).

☐ until, the facts justifying, the later specific date of _____.

Date and time issued:

1/13/2020
10:05 am

Judge's signature

City and state: New York, NY

U.S. Magistrate Judge Stewart D. Aaron

Printed name and title

US_00002487

CONFIDENTIAL MATERIAL

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Return		
Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
Inventory made in the presence of :		
Inventory of the property taken and name of any person(s) seized:		
Certification		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the Court.</p>		
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 30%;"> <p>Date: _____</p> </div> <div style="width: 65%;"> <p style="text-align: center;">_____ <i>Executing officer's signature</i></p> <p style="text-align: center;">_____ <i>Printed name and title</i></p> </div> </div>		

US_00002488

Attachment A

I. Data Subject to Search and Seizure

The data that are the subject of this search and seizure warrant (the “Subject Data”) are described as follows:

a. the Forensic Image of an Apple iPhone 11 Pro Max, IMEI Number [REDACTED], created on or about November 15, 2019 (“Forensic Image-1” and “Subject Device-1,” respectively);

b. the Forensic Image of an Apple iPhone 6s, IMEI Number [REDACTED], created on or about November 15, 2019 (“Forensic Image-2” and “Subject Device-2,” respectively); and

c. a Seagate Hard Drive, Serial Number [REDACTED] (“Subject Device-3”)

(collectively, the “Subject Data”).

II. Review of ESI on the Subject Data

Law enforcement personnel (who may include, in addition to law enforcement officers and agents, attorneys for the government, attorney support staff, agency personnel assisting the government in this investigation, and outside technical experts under government control) are authorized to review the ESI contained on the forensic images of the Subject Data for evidence of violations of Title 31, United States Code, Section 5322 (Bank Secrecy Act violations involving inadequate controls, recordkeeping, and reporting), Title 50, United States Code, Section 1701 (violations of the International Emergency Economic Powers Act based on sanctions violations), and Title 18, United States Code, Section 1519 (obstruction of justice) (the “Subject Offenses”) for the time period of December 1, 2017 through on or about December 4, 2019, described as follows:

1. Evidence reflecting the identity and location of the user or users of the electronic devices and data being searched;

2. Evidence reflecting the identity or location of, and communications with, individuals engaged in or with knowledge of the Subject Offenses;

3. Evidence reflecting the operation of offices and conduct of business in the United States by HDR Global Trading Limited, and its subsidiaries and affiliates, employees, agents, and/or directors (collectively, “BitMEX”), including evidence of BitMEX’s processing of transactions on behalf of U.S.-based persons;

4. Evidence reflecting the types of products sold or offered by BitMEX, including futures contracts;

5. Evidence reflecting BitMEX's registration status, or lack of such status, with any U.S. or foreign securities or commodities regulator(s), including the Commodity Futures Trading Commission ("CFTC");
6. Evidence reflecting access of BitMEX platforms, including for the purpose of executing trades, on the BitMEX platform by 1) U.S.-based persons, and 2) individuals or entities subject to United States economic sanctions, or individuals located in jurisdictions subject to U.S. economic sanctions;
7. Evidence reflecting deposits and withdrawals made by U.S.-based customers of BitMEX, and payments made by BitMEX to U.S.-based customers;
8. Evidence reflecting BitMEX's controls, policies, procedures, or practices (or the lack thereof) with respect to access of BitMEX platforms, including for the purpose of executing trades, on the BitMEX platform by 1) U.S.-based persons, and 2) individuals or entities subject to United States economic sanctions, or individuals located in jurisdictions subject to U.S. economic sanctions;
9. Evidence reflecting BitMEX's controls, policies, procedures, or practices (or the lack thereof) relating to legal and regulatory compliance, including accountholder identification (know-your-customer), anti-money laundering, anti-terrorist financing, and Suspicious Activity Reports;
10. Evidence reflecting actual or attempted deletion or destruction of materials contained on Subject Device-1, Subject Device-2, and Subject Device-3; and
11. Evidence reflecting the amount and location of revenues generated by BitMEX's trading activities and customer fees.